



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

February 22, 2017

Certified Mail No. 7012 3460 0003 1112 8632

McCloud Community Services District  
220 W. Minnesota Avenue  
McCloud, CA 96057

Attention: Chuck Ott, President of the Board of Directors

**CITATION NO. 01\_01\_17C\_009**

**McCLOUD COMMUNITY SERVICES DISTRICT PUBLIC WATER SYSTEM (PWS #4710006)  
TOTAL COLIFORM MONITORING AND REPORTING VIOLATIONS  
FOR 2013-2015**

Enclosed is a citation issued to the McCloud Community Services District public water system.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code section 116625) or Article 9 (commencing with Health and Safety Code section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the order or decision. Appendix 5 of the enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code section 116701) Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Craig Bunas of my staff at (530) 224-4887 or me at (530) 224-4875.

Sincerely,

Barry Sutter, P.E., Klamath District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Enclosures

cc: Richard Hinrichs, Chief, DDW, Northern California Section, Redding  
Siskiyou County Environmental Health

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

1  
2 **Citation No. 01\_01\_17C\_009**

3  
4 STATE OF CALIFORNIA  
5 STATE WATER RESOURCES CONTROL BOARD  
6 DIVISION OF DRINKING WATER

7  
8 **Name of Public Water System:** McCloud Community Services District

9 **Water System No:** 4710006

10  
11 **To:** McCloud Community Services District  
12 Attn: Chuck Ott, Board President  
13 220 W. Minnesota Avenue  
14 McCloud, CA 96057

15  
16 **Issued:** February 22, 2017

17  
18 CITATION NO. 01\_01\_17C\_009  
19 FOR VIOLATION OF  
20 CALIFORNIA HEALTH AND SAFETY CODE  
21 SECTION 116555(a)(1), AND  
22 CALIFORNIA CODE OF REGULATIONS, TITLE 22,  
23 SECTIONS 64423, 64423.1, 64424, 64426, 64426.1, 64430  
24 DURING THE TIME PERIOD OF AUGUST 2013 THROUGH JULY 2015

1 The State Water Resources Control Board (hereinafter "State Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues this citation pursuant to Section 116650 of the CHSC to  
4 McCloud Community Services District (hereinafter "McCloud C.S.D." or "System") for  
5 violation of CHSC, Section 116555(a)(1) and Title 22 of California Code of  
6 Regulations (hereinafter "Title 22"), Sections 64423, 64423.1, 64424, 64426, 64426.1,  
7 and 64430. The State Board is not considering whether to impose a penalty at this  
8 time, but is only ordering prospective relief. If a penalty is to be imposed, it will be  
9 imposed at a later date.  
10

#### 11 **APPLICABLE AUTHORITIES**

12 The applicable authorities most pertinent to this Citation are as follows:  
13

14 CHSC, Section 116555(a)(1) states in relevant part:  
15

16 "(a) Any person who owns a public water system shall ensure that the system does  
17 all of the following:

18 (1) Complies with primary and secondary drinking water standards. ..."

19 CCR, Title 22, Section 64423 states in relevant part: "... (c) If any routine, repeat, or  
20 replacement sample is total coliform-positive, then the water supplier shall collect  
21 repeat samples in accordance with Section 64424 and comply with the reporting  
22 requirements specified in Sections 64426 and 64426.1. ..."  
23  
24  
25  
26

1 CCR, Title 22, Section 64423.1 states in relevant part: "(c) Analytical results of all  
2 required samples collected for a system in a calendar month shall be reported to the  
3 State Board not later than the tenth day of the following month, as follows: (1) The  
4 water supplier shall submit a monthly summary of the bacteriological monitoring  
5 results to the State Board. ..."

7 CCR, Title 22, Section 64424 states in relevant part: "(a)(1) For a water supplier that  
8 normally collects more than one routine sample a month, a repeat sample set shall be  
9 at least three samples for each total coliform-positive sample. ..."

11 CCR, Title 22, Section 64426 states in relevant part: "... (b) When the coliform levels  
12 specified in subsection (a) are reached or exceeded, the water supplier shall:

13 (1) Contact the State Board by the end of the day on which the system is notified of  
14 the test result or the system determines that it has exceeded the MCL, unless the  
15 notification or determination occurs after the State Board office is closed, in which  
16 case the supplier shall notify the State Board within 24 hours; and

17 (2) Submit to the State Board information on the current status of physical works and  
18 operating procedures which may have caused the elevated bacteriological findings, or  
19 any information on community illness suspected of being waterborne. This shall  
20 include, but not be limited to:

21 (A) Current operating procedures that are or could potentially be related to the  
22 increase in bacterial count;

23 (B) Any interruptions in the treatment process;

24 (C) System pressure loss to less than 5 psi;

- 1  
2 (D) Vandalism and/or unauthorized access to facilities;  
3 (E) Physical evidence indicating bacteriological contamination of facilities;  
4 (F) Analytical results of any additional samples collected, including source samples;  
5 (G) Community illness suspected of being waterborne; and  
6 (H) Records of the investigation and any action taken. ...”

7  
8 CCR, Title 22, Section 64426.1 (a) Results of all samples collected in a calendar  
9 month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the  
10 State Board or the laboratory shall be included in determining compliance with the  
11 total coliform MCL. Special purpose samples such as those listed in section 64421(b)  
12 and samples collected by the water supplier during special investigations shall not be  
13 used to determine compliance with the total coliform MCL.

14 (b) A public water system is in violation of the total coliform MCL when any of the  
15 following occurs:

- 16 (1) For a public water system which collects at least 40 samples per month, more than  
17 5.0 percent of the samples collected during any month are total coliform-positive; or  
18 (2) For a public water system which collects fewer than 40 samples per month, more  
19 than one sample collected during any month is total coliform-positive; or  
20 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or  
21 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine  
22 sample is total coliform-positive.

23 (c) If a public water system is not in compliance with paragraphs (b)(1) through (4),  
24 during any month in which it supplies water to the public, the water supplier shall notify  
25 the State Board by the end of the business day on which this is determined, unless  
26

1 the determination occurs after the State Board office is closed, in which case the  
2 supplier shall notify the State Board within 24 hours of the determination. The water  
3 supplier shall also notify the consumers served by the water system. A Tier 2 Public  
4 Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section  
5 64463.4. ..."

7  
8 CCR, Title 22, Section 64430 states in relevant part:

9 "A public water system that uses ground water shall comply with the following  
10 provisions of 40 Code of Federal Regulations ... which are hereby incorporated by  
11 reference: Sections ... 141.400 through 141.405, except that in: ... (a) sections  
12 141.402(a)(1)(ii), (a)(2) ... the phrase '§141.21(a)' is replaced by '22 California Code  
13 of Regulations sections 64422 and 64423',  
14 (b) sections 141.402(a)(1)(ii) ... the phrase '§141.21(c)' is replaced by '22 California  
15 Code of Regulations section 64425'. ..."

16  
17 40 Code of Federal Regulations Section 141.402, as incorporated by reference in  
18 CCR, Title 22, Section 64430, states in relevant part:

19 "§141.402. Ground water source microbial monitoring and analytical methods.

20 (a) Triggered source water monitoring —

21 (1) General requirements. A ground water system must conduct triggered source  
22 water monitoring if the conditions identified in paragraphs (a)(1)(i) and (a)(1)(ii) of this  
23 section exist.

1  
2 (i) The system does not provide at least 4-log treatment of viruses (using inactivation,  
3 removal, or a State-approved combination of 4-log virus inactivation and removal)  
4 before or at the first customer for each ground water source; and

5 (ii) The system is notified that a sample collected under 22 California Code of  
6 Regulations sections 64422 and 64423 is total coliform-positive and the sample is not  
7 invalidated under 22 California Code of Regulations section 64425.

8 (2) Sampling requirements. A ground water system must collect, within 24 hours of  
9 notification of the total coliform-positive sample, at least one ground water source  
10 sample from each ground water source in use at the time the total coliform-positive  
11 sample was collected under 22 California Code of Regulations sections 64422 and  
12 64423, except as provided in paragraph (a)(2)(ii) of this section. ...”

13  
14 These and additional applicable statutes and regulations are included in Appendix 1  
15 which is attached hereto and incorporated by reference.

## 16 17 **STATEMENT OF FACTS**

18 The Division is informed that McCloud C.S.D. operates a public water system that  
19 supplies water for domestic purposes to approximately 1,300 persons through  
20 approximately 641 service connections. McCloud C.S.D. water system operates  
21 under Domestic Water Supply Permit No. 67-82, issued on October 20, 1967.

22 McCloud C.S.D. is a community public water system as defined in CHSC, section  
23 116275.

1 Records submitted to the State Board by McCloud C.S.D. show that from August 2013  
2 to July 2015, coliform bacteria analyses were performed for McCloud C.S.D. by the  
3 City of Mt. Shasta Wastewater Treatment Plant Laboratory (hereinafter "Mt. Shasta  
4 Laboratory") that is certified by the State Board pursuant to the Environmental  
5 Laboratory Accreditation Act. On October 29, 2015, the Division received a letter, via  
6 email dated October 29, 2015, from the City of Mt. Shasta, which stated, in part: "...a  
7 City of Mt. Shasta City employee may have routinely failed to provide ... [the State  
8 Board] results of potential positive samples of Total Coliform ... [and that] this  
9 apparent practice may have been applied to other agencies..."  
10

11  
12 Between August 2013 and July 2015, McCloud C.S.D. consistently reported a monthly  
13 summary of its monthly distribution coliform sampling directly to the Division each  
14 month.  
15

16 On or about October 30, 2015, the Division submitted a request for copies of  
17 laboratory records to the City of Mt. Shasta, and on or about November 16, 2015, the  
18 City of Mt. Shasta provided the Division's Redding District Office with what the City of  
19 Mt. Shasta reported were all of the coliform laboratory analyses reports produced at  
20 the Mt. Shasta Laboratory for McCloud C.S.D. drinking water system between August  
21 2013 and October 2015. The Division compared the results received from the Mt.  
22 Shasta Laboratory with the historical, monthly records submitted by McCloud CSD  
23 directly to the Division's Field Office, in Redding. The Division determined that the  
24 Division did not receive from McCloud C.S.D. all of the laboratory reports generated  
25 by the Mt. Shasta Laboratory for McCloud C.S.D. that showed the presence of  
26



1 coliform bacteria. Neither those reports themselves showing the presence of coliform  
2 bacteria, nor the substance of the reports, had previously been received by the  
3 Division. The comparison of coliform laboratory reports is summarized in Appendix 4.  
4

5  
6 The Division determined from a comparison of the monthly summary reports received  
7 directly from McCloud C.S.D. with those laboratory reports received from the  
8 Mt. Shasta Laboratory, that the Division had not received all results for water samples  
9 that tested positive (present) for total coliform bacteria for McCloud CSD public water  
10 system for the months of August 2013, May 2014, July 2014, May 2015 and July  
11 2015.  
12

13 The Division determined from a review of its records that for the months of  
14 August 2013, May 2014, July 2014, May 2015 and July 2015, the Division did not  
15 receive the required repeat coliform sampling results from McCloud C.S.D., which is  
16 required by Title 22 Section 64424.  
17

18 The Division further determined, from a review of its records, that for August 2013,  
19 May 2014, July 2014, May 2015 and July 2015, the Division did not receive  
20 notification from McCloud C.S.D. of any notification of potential violations of the Total  
21 Coliform Maximum Contaminant Level, which are required by CHSC Section 116555,  
22 Title 22 Section 64426, and Title 22 Section 64426.1.  
23

24 The Division determined from a review of its records that for the months of  
25 August 2013, May 2014, July 2014, May 2015 and July 2015, the Division did not  
26

1 receive laboratory results for triggered source sampling from McCloud C.S.D., a  
2 requirement of Title 22, Section 64430, which incorporates the requirements of 40  
3 Code of Federal Regulations section 141.402.  
4

5  
6 **DETERMINATION**

7 Based on the *Statement of Facts* above, for the time period of August 2013 through  
8 July 2015, the Division has determined that McCloud C.S.D. violated:

9  
10 (1) CHSC Section 116555(a)(1), in that the System did not comply with primary  
11 drinking water standards (Total Coliform MCL) for August 2013, May 2014,  
12 July 2014, May 2015 and July 2015;

13  
14 (2) Title 22 Sections 64421(a)(2) and 64424 in that the System failed to collect repeat  
15 samples as required for August 2013, May 2014, July 2014, May 2015 and July 2015;

16  
17 (3) Title 22 Section 64426 in that the System failed to contact the State Board by the  
18 end of the day when test results indicated that the system exceeded the MCL, and did  
19 not submit information of the current status of physical works and operating  
20 procedures to State Board for August 2013, May 2014, July 2014, May 2015 and  
21 July 2015;

22  
23 (4) Title 22 Section 64426.1 in that the System failed to notify the State Board and the  
24 consumers served by the water system of the exceedance of the Total Coliform MCL  
25 for August 2013, May 2014, July 2014, May 2015 and July 2015;  
26

1  
2  
3 (5) Title 22 Section 64430 in that the System failed to collect the Triggered Source  
4 Sampling from the ground water sources after one or more positive routine coliform  
5 samples for August 2013, May 2014, July 2014, May 2015 and July 2015.

6  
7 **DIRECTIVES**

8 McCloud C.S.D. is hereby directed to take the following actions:

- 9  
10 1. Collect and report bacteriological samples in accordance with CHSC Section  
11 116555, and Title 22 Sections 64421, 64423, 64423.1, 64424, 64426, 64426.1  
12 and 64430 in all future monitoring periods.
- 13  
14 2. On or before **March 20, 2017**, notify all persons served by McCloud C.S.D. of the  
15 violations of CHSC Section 116555, and Title 22 Sections, 64423, 64423.1,  
16 64424, 64426, 64426.1, 64430 in conformance with Title 22 Sections  
17 64463.4(b)&(c) and 64465. Copies of Sections 64463.4 and 64465 are included  
18 in Appendix 1. Appendix 2: *Public Notification Template* shall be used to fulfill  
19 this directive, unless otherwise approved by the Division.
- 20  
21 3. On or before **March 30, 2017**, submit to the Division a complete Appendix 3:  
22 *Compliance Certification Form*. Submit it together with a copy of the *Public*  
23 *Notification Template* required by Directive 2.
- 24  
25  
26

1 All submittals required by this Citation shall be submitted to the Division at the  
2 following address:  
3

4 Barry Sutter, P.E.  
5 Klamath District Engineer  
6 Drinking Water Field Operations Branch  
7 Division of Drinking Water  
8 State Water Resources Control Board  
9 364 Knollcrest Drive, Suite 101  
10 Redding, CA 96002  
11 (530) 224-4800  
12

13 The State Board reserves the right to make such modifications to this Citation as it  
14 may deem necessary to protect public health and safety. Such modifications may be  
15 issued as amendments to this Citation and shall be effective upon issuance.  
16

17 Nothing in this Citation relieves McCloud C.S.D. of its obligation to meet the  
18 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,  
19 commencing with Section 116270), or any regulation, standard, permit or order issued  
20 or adopted thereunder.  
21  
22  
23  
24  
25  
26

1  
2 **PARTIES BOUND**

3 This Citation shall apply to and be binding upon McCloud C.S.D., its owners,  
4 shareholders, officers, directors, agents, employees, contractors, successors, and  
5 assignees.  
6

7  
8 **SEVERABILITY**

9 The directives of this Citation are severable, and McCloud C.S.D. shall comply with  
10 each and every provision thereof notwithstanding the effectiveness of any provision.  
11

12 **FURTHER ENFORCEMENT ACTION**

13 The California SDWA authorizes the State Board to: issue a citation with assessment  
14 of administrative penalties to a public water system for violation or continued violation  
15 of the requirements of the California SDWA or any regulation, permit, standard,  
16 citation, or order issued or adopted thereunder including, but not limited to, failure to  
17 correct a violation identified in a citation or compliance order. The California SDWA  
18 also authorizes the State Board to take action to suspend or revoke a permit that has  
19 been issued to a public water system if the public water system has violated  
20 applicable law or regulations or has failed to comply with an order of the State Board,  
21 and to petition the superior court to take various enforcement measures against a  
22 public water system that has failed to comply with an order of the State Board. The  
23 State Board does not waive any further enforcement action by issuance of this  
24 Citation.  
25  
26

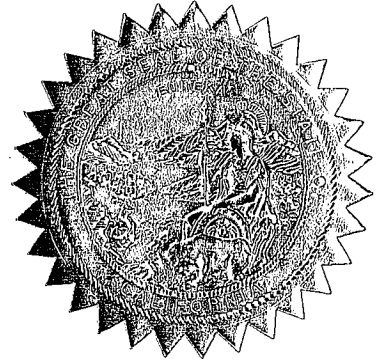
1 Barry Sutter  
2  
3 Barry Sutter, P.E., Klamath District Engineer

Feb. 22-2017

Date

4 Division of Drinking Water

5 STATE WATER RESOURCES CONTROL BOARD



6  
7 Appendices (4):

- 8 1. Applicable Authorities
- 9 2. Public Notification Template
- 10 3. Compliance Certification Form
- 11 4. Comparison of Monthly Coliform Bacteria Monitoring Reports Submitted to  
12 DDW vs Results on File at City of Mt. Shasta Laboratory (2013-2015), for  
13 McCloud C.S.D. Public Water System.
- 14 5. Section 116701. Petitions to Orders and Decisions

15  
16  
17 Certified Mail No. 7012 3460 0003 1112 8632

## APPENDIX 1.

### APPLICABLE AUTHORITIES

#### **California Health and Safety Code (CHSC):**

##### **Section 116271 states in relevant part:**

"(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k) (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
- (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties..."

##### **Section 116555 states in relevant part:**

"(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.
- (2) Will not be subject to backflow under normal operating conditions.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water..."

**Section 116650**

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the

public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

**California Code of Regulations, Title 22 (CCR):****Section 64422. Routine Sample Siting Plan.**

(a) By September 1, 1992, each water supplier shall develop and submit to the State Board a siting plan for the routine collection of samples for total coliform analysis, subject to the following:

(1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.

(2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423-A. The rotation plan shall be described in the sample siting plan.

(b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to §64415 (b).

(c) The supplier shall submit an updated plan to the State Board at least once every ten years and at any time the plan no longer ensures representative monitoring of the system.

**Section 64423 (Routine Sampling) states:**

(a) Each water supplier shall collect routine bacteriological water samples as follows:

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A. A community water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.

(2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.

(3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

(4) The minimum number of samples for transient-noncommunity water systems using groundwater and serving more than 1000 persons during any month shall be based on the known population served as shown in Table 64423-A, except that the water supplier may request from the State Board a reduction in monitoring for any month the system serves 1000 persons or fewer. The minimum reduced frequency shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient-noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423-A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the State Board has designated the source to be approved surface water.

(6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.

(b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system



exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24-hour time period because of extenuating circumstances beyond its control, the supplier shall notify the State Board within the 24-hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in Section 64426.1.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

**Table 64423-A**  
Minimum Number of Routine Total Coliform Samples

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week
59,001 to 70,000	21,101 to 25,000	18 per week
70,001 to 83,000	25,001 to 29,600	20 per week
83,001 to 96,000	29,601 to 34,300	23 per week
96,001 to 130,000	34,301 to 46,400	25 per week
130,001 to 220,000	46,401 to 78,600	30 per week
220,001 to 320,000	78,601 to 114,300	38 per week
320,001 to 450,000	114,301 to 160,700	50 per week
450,001 to 600,000	160,701 to 214,300	55 per week
600,001 to 780,000	214,301 to 278,600	60 per week
780,001 to 970,000	278,601 to 346,400	70 per week
970,001 to 1,230,000	346,401 to 439,300	75 per week
1,230,001 to 1,520,000	439,301 to 542,900	85 per week
1,520,001 to 1,850,000	542,901 to 660,700	90 per week
1,850,001 to 2,270,000	660,701 to 810,700	98 per week
2,270,001 to 3,020,000	810,701 to 1,078,600	105 per week
3,020,001 to 3,960,000	1,078,601 to 1,414,300	110 per week
3,960,001 or more	1,414,301 or more	120 per week

#### **Section 64423.1. Sample Analysis and Reporting of Results.**

(a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or "other" pursuant to Section 64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or *Escherichia coli* (*E. coli*) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the presence or absence of total or fecal coliforms, or *E. coli* in the sample, whichever is appropriate.

(b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or *E. coli* is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to Section 64425(b), and shall ensure that a contact person is available to receive these analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State

Board of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.

(c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the State Board not later than the tenth day of the following month, as follows:

- (1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the State Board.

(2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the State Board.

(3) For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological monitoring results for all positive routine samples and all repeat samples directly to the State Board.

(d) Laboratory reports shall be retained by the water supplier for a period of at least five years and shall be made available to the State Board upon request.

#### **Section 64424. Repeat Sampling.**

(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.

(1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.

(2) If the water supplier is unable to collect the samples within the 24-hour time period specified in subsection (a) or deliver the samples to the laboratory within 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the State Board within 24 hours. The State Board will then determine how much time the supplier will have to collect the repeat samples.

(b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

(c) If one or more samples in the repeat sample set is total coliform-positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in Section 64426.1 has been exceeded and notifies the State Board.

(d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform-positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the State Board waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform-negative. To request a waiver, one of the following conditions shall be met:

(1) The State Board conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.

(2) The State Board determines why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with Section 64426.1.

#### **Section 64426. Significant Rise in Bacterial Count. states in relevant part:**

"(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:

(1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;

(2) A system has a sample which is positive for fecal coliform or E. coli; or

(3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.

(b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:

(1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and

(2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

(A) Current operating procedures that are or could potentially be related to the increase in bacterial count;

(B) Any interruptions in the treatment process;

(C) System pressure loss to less than 5 psi;

(D) Vandalism and/or unauthorized access to facilities;

(E) Physical evidence indicating bacteriological contamination of facilities;

- (F) Analytical results of any additional samples collected, including source samples;
- (G) Community illness suspected of being waterborne; and
- (H) Records of the investigation and any action taken...."

**Section 64426.1 (Total Coliform Maximum Contaminant Level (MCL)) states in relevant part:**

- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
  - (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
  - (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
  - (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or
  - (4) Any repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraph (b)(3) or (4), pursuant to section 64463.1.

**Section 64430**

A public water system that uses ground water shall comply with the following provisions of 40 Code of Federal Regulations as they appear in the Ground Water Rule published in 71 Federal Register 65574 (November 8, 2006) and amended in 71 Federal Register 67427 (November 21, 2006) and 74 Federal Register 30953 (June 29, 2009), which are hereby incorporated by reference: Sections 141.21(d)(3), 141.28(a), 141.153(h)(6), Appendix A to Subpart O (Consumer Confidence Reports), 141.202(a)(8), 141.203(a)(4), Appendices A and B to Subpart Q (Public Notification), and 141.400 through 141.405, except that in:

(a) sections 141.402(a)(1)(ii), (a)(2), (a)(2)(ii), (a)(4), (a)(4)(ii)(A), (a)(5)(i), and (a)(5)(ii), the phrase "§141.21(a)" is replaced by "22 California Code of Regulations sections 64422 and 64423",

(b) sections 141.402(a)(1)(ii) and 141.405(b)(4), the phrase "§141.21(c)" is replaced by "22 California Code of Regulations section 64425", and

(c) section 141.402(a)(2)(iii), the phrase "§141.21(b)" is replaced by "22 California Code of Regulations section 64424".

**§141.402. Ground water source microbial monitoring and analytical methods states in relevant part:**

*"(a) Triggered source water monitoring —*

(1) *General requirements.* A ground water system must conduct triggered source water monitoring if the conditions identified in paragraphs (a)(1)(i) and (a)(1)(ii) of this section exist.

(i) The system does not provide at least 4-log treatment of viruses (using inactivation, removal, or a State-approved combination of 4-log virus inactivation and removal) before or at the first customer for each ground water source; and

(ii) The system is notified that a sample collected under 22 California Code of Regulations sections 64422 and 64423 is total coliform-positive and the sample is not invalidated under 22 California Code of Regulations section 64425.

(2) *Sampling requirements.* A ground water system must collect, within 24 hours of notification of the total coliform-positive sample, at least one ground water source sample from each ground water source in use at the time the total coliform-positive sample was collected under 22 California Code of Regulations sections 64422 and 64423, except as provided in paragraph (a)(2)(ii) of this section.

(i) The State may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the ground water source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the State must specify how much time the system has to collect the sample.

(ii) If approved by the State, systems with more than one ground water source may meet the requirements of this paragraph (a)(2) by sampling a representative ground water source or sources. If directed by the State, systems must submit for State approval a triggered source water monitoring plan that identifies one or more ground water sources that are representative of each monitoring site in the system's sample siting plan under 22 California Code of Regulations sections 64422 and 64423 and that the system intends to use for representative sampling under this paragraph.

(iii) A ground water system serving 1,000 people or fewer may use a repeat sample collected from a ground water source to meet both the requirements of 22 California Code of Regulations section 64424 and to satisfy the monitoring requirements of paragraph (a)(2) of this section for that ground water source only if the State approves the use of *E. coli* as a fecal indicator for source water monitoring under this paragraph (a). If the repeat sample

collected from the ground water source is *E.coli* positive, the system must comply with paragraph (a)(3) of this section.

(3) *Additional requirements.* If the State does not require corrective action under §141.403(a)(2) for a fecal indicator-positive source water sample collected under paragraph (a)(2) of this section that is not invalidated under paragraph (d) of this section, the system must collect five additional source water samples from the same source within 24 hours of being notified of the fecal indicator-positive sample.

(4) *Consecutive and wholesale systems* —

(i) In addition to the other requirements of this paragraph (a), a consecutive ground water system that has a total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 must notify the wholesale system(s) within 24 hours of being notified of the total coliform-positive sample.

(ii) In addition to the other requirements of this paragraph (a), a wholesale ground water system must comply with paragraphs (a)(4)(ii)(A) and (a)(4)(ii)(B) of this section.

(A) A wholesale ground water system that receives notice from a consecutive system it serves that a sample collected under 22 California Code of Regulations sections 64422 and 64423 is total coliform-positive must, within 24 hours of being notified, collect a sample from its ground water source(s) under paragraph (a)(2) of this section and analyze it for a fecal indicator under paragraph (c) of this section.

(B) If the sample collected under paragraph (a)(4)(ii)(A) of this section is fecal indicator-positive, the wholesale ground water system must notify all consecutive systems served by that ground water source of the fecal indicator source water positive within 24 hours of being notified of the ground water source sample monitoring result and must meet the requirements of paragraph (a)(3) of this section.

(5) *Exceptions to the triggered source water monitoring requirements.* A ground water system is not required to comply with the source water monitoring requirements of paragraph (a) of this section if either of the following conditions exists:

(i) The State determines, and documents in writing, that the total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 is caused by a distribution system deficiency; or

(ii) The total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 is collected at a location that meets State criteria for distribution system conditions that will cause total coliform-positive samples.

(b) *Assessment source water monitoring.* If directed by the State, ground water systems must conduct assessment source water monitoring that meets State-determined requirements for such monitoring. A ground water system conducting assessment source water monitoring may use a triggered source water sample collected under paragraph (a)(2) of this section to meet the requirements of paragraph (b) of this section. State-determined assessment source water monitoring requirements may include:

(1) Collection of a total of 12 ground water source samples that represent each month the system provides ground water to the public,

(2) Collection of samples from each well unless the system obtains written State approval to conduct monitoring at one or more wells within the ground water system that are representative of multiple wells used by that system and that draw water from the same hydrogeologic setting,

(3) Collection of a standard sample volume of at least 100 mL for fecal indicator analysis regardless of the fecal indicator or analytical method used,

(4) Analysis of all ground water source samples using one of the analytical methods listed in the in paragraph (c)(2) of this section for the presence of *E. coli*, enterococci, or coliphage,

(5) Collection of ground water source samples at a location prior to any treatment of the ground water source unless the State approves a sampling location after treatment, and

(6) Collection of ground water source samples at the well itself unless the system's configuration does not allow for sampling at the well itself and the State approves an alternate sampling location that is representative of the water quality of that well..."

#### **Section 64463.4**

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60

days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
- (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
- (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:

- (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
- (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

- (A) Posting in conspicuous locations throughout the area served by the water system; and
- (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

#### **Section 64465**

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets

health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time."

- (b) A Tier 3 public notice for a water system operating under a variance or exemption shall include the elements in this subsection. If a water system has violated its variance or exemption conditions, the public notice shall also include the elements in subsection (a).
- (1) An explanation of the reasons for the variance or exemption;
  - (2) The date on which the variance or exemption was issued;
  - (3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and
  - (4) A notice of any opportunity for public input in the review of the variance or exemption.
- (c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:
- (2) For a Tier 2 or Tier 3 public notice:
    - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
    - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
      1. Information in the appropriate language(s) regarding the importance of the notice; or
      2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
  - (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
  - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
  - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

#### **Appendix 64465-A. Health Effects Language - Microbiological Contaminants.**

<b>Contaminant</b>	<b>Health Effects Language</b>
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/E. coli	Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

#### **Section 64469 (Reporting Requirements) states in relevant part:**

"... (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given."

#### **Section 64481 (Content of the Consumer Confidence Report) states in relevant part:**

"... (g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

- (1) Monitoring and reporting of compliance data."

**Appendix 2: PUBLIC NOTIFICATION TEMPLATE**  
**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

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## **Monthly Coliform Bacteria Standards Not Met and Regulatory Requirements Not Followed for the McCloud C.S.D. Public Drinking Water System**

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We routinely monitor for drinking water contaminants including coliform bacteria on a monthly basis and exceeded the coliform bacteria standard for five calendar months between August 2013 and July 2015. We also did not follow the proper coliform sampling procedures for five calendar months between August 2013 and July 2015. Although these regulatory violations do not constitute an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

The basic coliform standard is that no more than one sample per month may show the presence of total coliform bacteria, and that all samples must be reported to the California State Water Resources Control Board, Division of Drinking Water in Redding by the tenth day of the following month. If a routine monthly coliform sample is positive for coliform bacteria, follow-up samples must be taken, including a sample from the spring source. We did not meet these requirements on multiple occasions.

Usually, coliform bacteria are a sign that there could be a problem with our source water or the distribution system (pipes and tanks). Whenever we detect coliform bacteria in any sample, we are required to do follow-up testing and check for the presence of other bacteria of greater concern, such as fecal coliform or E. coli. Though we did not take all of the follow-up samples all of the time, we did **NOT** find any fecal coliform or E.coli bacteria in any of the water samples taken from our drinking water system.

### **What should you do?**

**You do not need to boil your water or take other corrective actions.**

This is not an emergency. Total coliform bacteria are generally not harmful. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that there may be leaks, openings, or pathways into the water system.*

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

### **What Happened? What Was Done?**

*The Safe Drinking Water Act regulations were not properly followed. We have since changed our operating procedures so that all of our monitoring results are reported directly to the Division of Drinking Water Field Operations Branch in Redding and the correct number of repeat samples will be taken. As of October 2015, we have been using Basic Laboratories in Redding and have not exceeded the coliform standards since this time. Persons wishing more information should contact the McCloud C.S.D. at **530-964-2017**.*

The **California Division of Drinking Water** has issued a citation to the McCloud C.S.D. for the violations mentioned above. The citation may be viewed at the following web address:

**[http://www.waterboards.ca.gov/drinking\\_water/programs/EnforcementActionsSiskiyou.shtml](http://www.waterboards.ca.gov/drinking_water/programs/EnforcementActionsSiskiyou.shtml)**

*Please share this information with other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

### APPENDIX 3. COMPLIANCE CERTIFICATION FORM

**Citation Number:** 01\_01\_17C\_009

**Name of Water System:** McCloud Community Services District

**System Number:** 4710006

#### Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring and reporting violation of California Code of Regulations, Title 22, Section 64424(a)(1) for the compliance period of 2013-2015 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used:	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION  
OF DRINKING WATER, NO LATER THAN MARCH 30, 2017**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.



## Appendix 4

### Comparison of Monthly Coliform Bacteria Monitoring Reports Submitted to DDW vs Results on File at City of Mt. Shasta Laboratory (2013-2015)

#### McCloud C.S.D. Public Water System.

Community Water System

Population: 1300

Service Connections: 641

Month Year	Results Submitted to DDW (blue sheets)			Results on File at Laboratory		
	Number of Samples Collected	Number of total coliform presence	Number of E. coli presence	Number of Samples Collected	Number of total coliform presence	Number of E. coli presence
Jul-15	2	0	0	5	2	0
May-15	2	0	0	4	2	0
Jul-14	3	0	0	4	2	0
May-14	3	0	0	3	2	0
Aug-13	4	0	0	6	2	0

## **Appendix 5**

### **Section 116701. Petitions to Orders and Decisions.**

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.